



COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities Under OMB Review

AGENCY: Commodity Futures Trading Commission

ACTION: Notice; Information Collection 3038-0043, Rules Relating to Review of National Futures Association Decisions in Disciplinary, Membership Denial, Registration, and Member Responsibility Actions

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected costs and burden; it includes the actual data collection instruments [if any].

DATES: Comments must be submitted on or before [Insert date 30 days after publication].

ADDRESSES: Send comments regarding the burden estimated or any other aspect of the information collection, including suggestions for reducing the burden, to the addresses below. Please refer to OMB Control No. 3038-0043 in any correspondence. Comments may be mailed to Gail B. Scott, Office of General Counsel, U.S. Commodity Futures Trading Commission, 1155 21st Street, NW, Washington, DC 20581.

and

Office of Information and Regulatory Affairs, Office of Management and Budget,
Attention: Desk Officer for CFTC, 725 17th Street, Washington, DC 20503.

Comments may also be submitted by any of the following methods:

The agency's website, at <http://comments.cftc.gov>. Follow the instructions for submitting comments through the website.

Mail: David A. Stawick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW, Washington, DC 20581.

Hand Delivery/Courier: Same as mail above.

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Please submit your comments using only one method and identity that it is for the renewal of 3038-0043.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to www.cftc.gov. You should submit only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission's regulations.^[1]

FOR FURTHER INFORMATION OR A COPY CONTACT: Gail B. Scott at CFTC, (202) 418-5139; FAX: (202) 418-5524; email: gscott@cftc.gov and refer to OMB Control No. 3038-0043.

SUPPLEMENTAL INFORMATION:

Title: Rules Relating to Review of National Futures Association Decisions in Disciplinary, Membership Denial, Registration, and Member Responsibility Actions,

OMB Control No. 3038-0043. This is a request for extension of a currently approved information collection.

ABSTRACT: 17 CFR Part 171 rules require a registered futures association to provide fair and orderly procedures for membership and disciplinary actions. The Commission's review of decisions of registered futures associations in disciplinary, membership denial, registration, and member responsibility actions is governed by Section 17(h)(2) of the Commodity Exchange Act, 7 USC Section 21(h)(2). The rules establish procedures and standards for Commission review of such actions, and the reporting requirements included in the procedural rules are either directly required by Section 17 of the Act or are necessary to the type of appellate review role Congress intended the Commission to undertake when it adopted that provision.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the CFTC's regulations were published on December 30, 1981. See 46 FR 63035 (Dec. 30, 1981). The Federal Register notice with a 60-day comment period soliciting comments on this collection of information was published on June 1, 2012 (77 FR 32593).

BURDEN STATEMENT: The respondent burden for this collection is estimated to average .5 hours per response. This estimate includes the time needed to transmit decisions of disciplinary, membership denial, registration, and member responsibility actions to the Commission for review.

The estimated burden of .5 is determined by the following:

Respondents/Affected Entities: 25

^[1] See 17 CFR 145.9.

Estimated number of responses: 51.3

Estimated total annual burden on respondents: 25.6 hours

Frequency of collection: on occasion

There are no capital costs or operating and maintenance costs associated with this collection.

Issued in Washington, DC on July 31, 2012.

Sauntia S. Warfield,

Assistant Secretary of the Commission

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